



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

08/987,005

12/08/1997

MATHEW G. HOWELL

MICL:038

5721

7590

07/12/2004

COE F. MILES
TROP, PRUNER, ET AL
8554 KATY FREEWAY
STE. 100
HOUSTON, TX 77024

EXAMINER

TUGBANG, ANTHONY D

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/987,005

Applicant(s)

HOWELL, MATHEW G.

Examiner

A. Dexter Tugbang

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The rejections in the previous Office Action are maintained and hereby repeated below for the applicant(s) convenience.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

3. Claims 22-24, 28 and 29-31 are rejected under 35 U.S.C. 102(a) as being anticipated by Japanese Patent Publication JP 9-237530, referred to hereinafter as JP'530.

Regarding Claim(s) 22 and 29, JP'530 discloses a method comprising: mounting a tray (shown in Fig. 1a) including an open groove 7 defined by a first longitudinal edge (rear U-shaped surface of jig 1 in Fig. 1a) with a first distance along the groove and a second longitudinal edge (bottom surface 4) with a second distance along the groove with the second distance being greater than the first distance (see Fig. 1b); placing a cable 11, 12 in the groove; selectively routing the cable through a notch (rear U-shaped surface between flanges 6) in the first edge and a notch 3 in the second edge; and placing a cover 2 in proximity to the first and second edges (see Fig. 1c) to close the groove and conceal the cable in the groove.

Regarding Claim(s) 23, 24, 28, 30 and 31, JP'530 further teaches that the first and second edges are substantially orthogonal to each other (as shown in Figs. 1a and 1c) and that the cover 2 contacts the first edge (see Fig. 1c). The first and second edges impart a slope to the cover when the cover closes the groove (see arrow E in Fig. 1c).

Claim Rejections - 35 USC § 103

4. Claims 25-27 and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP'530 in view of Caveney 3,890,459.

JP'530 discloses the claimed manufacturing method as relied upon above. JP'530 does not teach that there are a plurality of notches in the first edge, a plurality of notches in the second edge, with each of the notches being uniformly spaced.

Caveney teaches the general concept that a plurality of uniformly spaced notches can exist on different edges (see Fig. 1) for the benefits of holding and supporting a plurality of cables.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the tray of JP'530 by forming multiple notches on each of the first and second edges, to advantageously hold and support a plurality of cables.

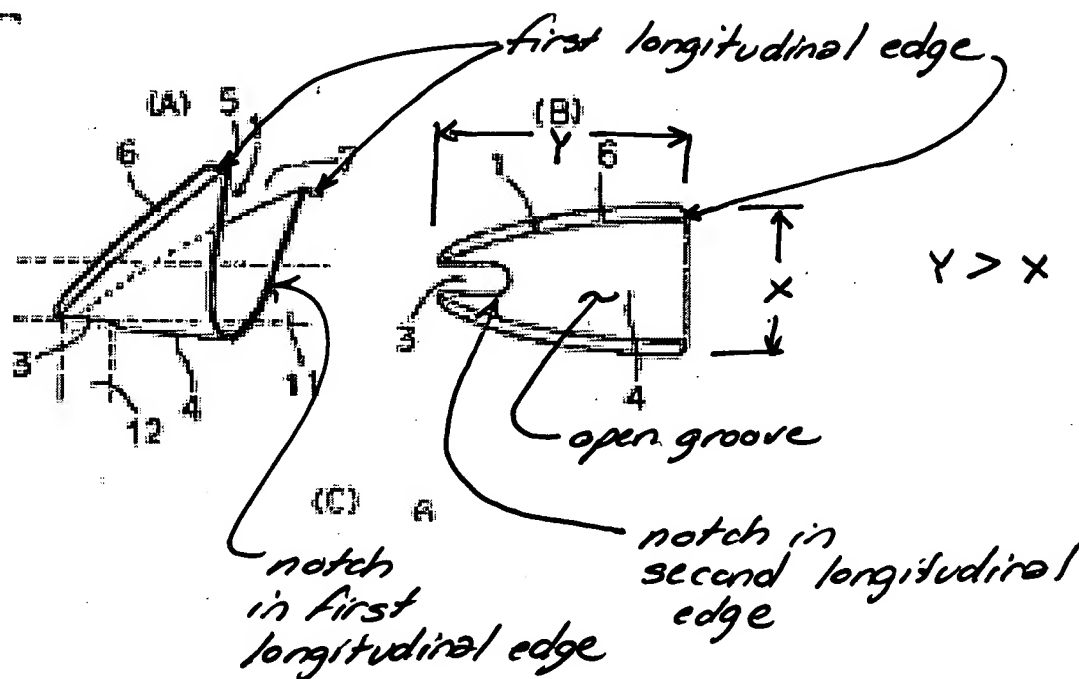
Response to Arguments

5. Applicant's arguments filed 4/19/04 with respect to claims 22-34 have been fully considered, but have not been deemed to be found as persuasive.

The applicant contends that JP'530 does not teach a tray with an "open groove defined by first and second longitudinal edges" (lines 2-3 of Claim 22 with similar limitations in Claim 29). The applicant asserts that no surface on the structure of JP'530 can be read as any "edge" and the examiner most respectfully disagrees with this assertion. For further clarification, the examiner illustrates below in Figures 1A and 1B of JP'530 as to what is being read as the claimed "first

Art Unit: 3729

edge" and "second edge" with the "first distance" labeled as the variable X and the "second distance" labeled as the variable Y.



So based on the illustration above, all of the limitations, particularly with reference to the claimed "first and second longitudinal edges", are fully met by JP'530.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 3729


will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Dexter Tugbang whose telephone number is 703-308-7599.

The examiner can normally be reached on Monday - Friday 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. Dexter Tugbang
Primary Examiner
Art Unit 3729

July 8, 2004